

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

D'AMATO, *et al.*

Serial No.: To Be Assigned

Filed: February 15, 2002

For: ANTIANGIOGENIC AGENTS AND
METHODS FOR TREATMENT OF
NEOVASCULARIZATION AND
RELATED CONDITIONS

#2

PETITION TO MAKE SPECIAL FOR INVENTION RELATING TO CANCER
(37 C.F.R. § 1.102 AND M.P.E.P. § 708.02(X))

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Applicant hereby petitions to make this application special because the invention disclosed therein relates to the treatment of cancer.

Enclosed with this Petition are:

i) A Statement by Attorney in Support of Petition to make Special Because of Invention Relating to Cancer, and

ii) a check in the amount of \$130 for the fee required by 37 C.F.R. 1.17(h).

Please charge any additional fee required for this PETITION TO MAKE SPECIAL, or credit any refund thereof, to Deposit Account No. 11-0855. A duplicate copy of this paper is attached.

02/25/2002 HLE333 00000001 10077142

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130.00 0P

Respectfully submitted,

Robert E. Richards

Reg. No. 29,105

KILPATRICK STOCKTON LLP

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(404) 815-6500

Attorney Docket: 05213-3000 (43170-269288)

EXPRESS MAIL NO. EL910742038US

DATE OF DEPOSIT: FEBRUARY 15, 2002

10077142-021502

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 For: **ANTIANGIOGENIC AGENTS AND**)
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NEOVASCULARIZATION AND)
RELATED CONDITION)

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL BECAUSE OF
 INVENTION RELATING TO CANCER (37 CFR § 1.102 AND M.P.E.P. § 708.02(X))**

Assistant Commissioner for Patents
 Washington, DC 20231

Sir:

I, Robert E. Richards, am the attorney for the applicants in the above-identified application, and I hereby state the following:

1. The invention disclosed in the above-identified application is directed to compositions and methods which are useful in the treatment of cancer, as specified in M.P.E.P. § 708.02(X).

2. The cancer-treating compositions and methods in this application are disclosed to function by, among other ways, inhibiting angiogenesis or the unwanted growth of blood vessels, especially in tumors. Angiogenesis has also been associated with a number of different types of cancer, including solid tumors and blood-borne tumors.

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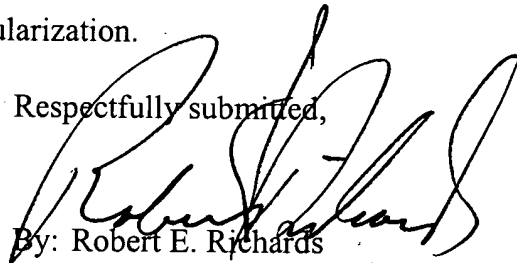
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3. Unregulated angiogenesis occurs in many other diverse pathological disease states, which have been grouped together as angiogenic-dependent or angiogenic-associated diseases.

4. This application also claims the treatment of a disease mediated by angiogenesis, namely, ocular neovascular disease. This disease is characterized by invasion of new blood vessels into the structures of the eye, such as the retina or cornea.

5. The present application further discloses that the compositions and methods in this application that inhibit angiogenesis, are therefore useful for treating any of the angiogenic-dependent or angiogenic-associated diseases, including cancer and neovascularization, including ocular neovascularization.

Respectfully submitted,



By: Robert E. Richards
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